

## PHARMACY BOARD[657]

### Adopted and Filed

#### Rule making related to telepharmacy delivery drivers

The Board of Pharmacy hereby amends Chapter 13, “Telepharmacy Practice,” Iowa Administrative Code.

#### *Legal Authority for Rule Making*

This rule making is adopted under the authority provided in Iowa Code section 147.76.

#### *State or Federal Law Implemented*

This rule making implements, in whole or in part, Iowa Code sections 155A.6B and 155A.13.

#### *Purpose and Summary*

This amendment allows a telepharmacy to utilize the services of a delivery driver when that individual is registered as a pharmacy support person. The amendment only authorizes the individual to engage in delivery activities and not in the entirety of other nontechnical functions for which a pharmacy support person is authorized.

#### *Public Comment and Changes to Rule Making*

Notice of Intended Action for this rule making was published in the Iowa Administrative Bulletin on December 20, 2017, as **ARC 3508C**. The Board received two comments in opposition to the general concept of telepharmacy sites providing delivery service, an activity which is not prohibited in the Iowa Code or newly created in this amendment. One comment was received in support of the amendment. No changes from the Notice have been made.

#### *Adoption of Rule Making*

This rule making was adopted by the Board on May 23, 2018.

#### *Fiscal Impact*

This rule making has no fiscal impact to the State of Iowa.

#### *Jobs Impact*

After analysis and review of this rule making, no impact on jobs has been found.

#### *Waivers*

Any person who believes that the application of the discretionary provisions of this rule making would result in hardship or injustice to that person may petition the Board for a waiver of the discretionary provisions, if any, pursuant to 657—Chapter 34.

#### *Review by Administrative Rules Review Committee*

The Administrative Rules Review Committee, a bipartisan legislative committee which oversees rule making by executive branch agencies, may, on its own motion or on written request by any individual or group, review this rule making at its [regular monthly meeting](#) or at a special meeting. The Committee’s meetings are open to the public, and interested persons may be heard as provided in Iowa Code section 17A.8(6).

*Effective Date*

This rule making will become effective on July 25, 2018.

The following rule-making action is adopted:

Amend subrule 13.8(7) as follows:

**13.8(7) *Prohibited activities.*** In the physical absence of a pharmacist, the following activities are prohibited:

*a.* Practice of pharmacist-interns or pharmacy support persons at the telepharmacy site, except that a pharmacy support person may deliver prescriptions to patients outside the telepharmacy site but may not engage in prescription delivery or any other activities at the telepharmacy site.

*b. to f.* No change.

[Filed 5/29/18, effective 7/25/18]

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EDITOR'S NOTE: For replacement pages for IAC, see IAC Supplement 6/20/18.